

## Exhibit M

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**In the Matter Of:**

*UNITED STATES OF AMERICA v*

*GOOGLE, LLC*

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*ITAMAR SIMONSON, PH.D.*

*February 28, 2024*

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<p>1 Q. That's all you can think of</p> <p>2 right now?</p> <p>3 A. Yes.</p> <p>4 Q. In the prior instances,</p> <p>5 understanding they've been limited, in</p> <p>6 which you have conducted preliminary</p> <p>7 interviews, how many preliminary</p> <p>8 interviews do you typically conduct?</p> <p>9 A. As I said, I can't think of</p> <p>10 the last time I did that. And I assume</p> <p>11 we are talking about litigation,</p> <p>12 litigation surveys. Or are you including</p> <p>13 academic?</p> <p>14 Q. Including academic surveys</p> <p>15 as well.</p> <p>16 A. So in the case of academic,</p> <p>17 let's say I usually worked with doctoral</p> <p>18 students. And I would say, why don't you</p> <p>19 talk to some of your friends, fellow</p> <p>20 doctoral students, and run the</p> <p>21 questionnaire by -- by them and try to</p> <p>22 get their, you know, feedback.</p> <p>23 So that would be an example</p> <p>24 that happened, I would say, quite a few</p>	<p>1 interviews were conducted, had you</p> <p>2 planned to conduct three separate</p> <p>3 surveys: high-spend, low-spend, and ad</p> <p>4 agencies?</p> <p>5 A. I don't recall exactly the</p> <p>6 timing of that decision.</p> <p>7 As I said, I did have some</p> <p>8 concerns, because I recognize it would</p> <p>9 be, as much as possible, important to --</p> <p>10 to tailor the survey to the respondent</p> <p>11 and respondent's knowledge. And, yeah,</p> <p>12 in that regard, that was, yeah, something</p> <p>13 that was on my mind.</p> <p>14 And the size of the</p> <p>15 advertiser, obviously, we have a</p> <p>16 distinction between advertiser agency. I</p> <p>17 thought agencies may have somewhat</p> <p>18 different perspective. It turns out the</p> <p>19 differences were generally small.</p> <p>20 But these were just thoughts</p> <p>21 that I had. I said that I wanted to make</p> <p>22 sure that I don't limit the survey to,</p> <p>23 let's say, very large advertisers.</p> <p>24 Q. Did you have a preliminary</p>
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<p>1 times.</p> <p>2 Q. And is it important that the</p> <p>3 participants in the preliminary interview</p> <p>4 process be representative in any way of</p> <p>5 the larger sample?</p> <p>6 A. No.</p> <p>7 Q. Why not?</p> <p>8 A. They just -- I mean, we talk</p> <p>9 about a really small sample. So you</p> <p>10 could not draw any statistical</p> <p>11 conclusions based on those few</p> <p>12 qualitative initial interviews.</p> <p>13 Q. Now, you indicated in your</p> <p>14 report that you used the feedback and the</p> <p>15 responses of the interview participants</p> <p>16 to inform the development of the survey</p> <p>17 questions, correct?</p> <p>18 A. Yeah. Combined with my</p> <p>19 judgment.</p> <p>20 Q. Okay. When were these</p> <p>21 preliminary interviews conducted?</p> <p>22 A. Well, I forget. Perhaps</p> <p>23 August of 2023.</p> <p>24 Q. And before the preliminary</p>	<p>1 survey draft before the preliminary</p> <p>2 interviews were conducted?</p> <p>3 A. I don't -- I don't think so.</p> <p>4 I mean, there might have</p> <p>5 been. Again, I don't recall exactly.</p> <p>6 There might have been. I had very</p> <p>7 initial draft -- but I think I did not.</p> <p>8 But I'm not sure.</p> <p>9 Q. And who drafted the</p> <p>10 preliminary interview guide?</p> <p>11 A. I think it was a</p> <p>12 collaborative effort between me and the</p> <p>13 support team at Analysis Group.</p> <p>14 Q. Did anyone from AP -- I'm</p> <p>15 going to refer to Advertiser Perceptions</p> <p>16 as AP in this deposition; is that okay?</p> <p>17 A. Sure.</p> <p>18 Q. Did anyone from AP provide</p> <p>19 any input on the substance of the</p> <p>20 preliminary interview guide?</p> <p>21 A. As far as I recall, the</p> <p>22 answer is no.</p> <p>23 Q. Now, you indicate in your</p> <p>24 report that there were 14 preliminary</p>

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<p>1 interviews conducted; is that right?</p> <p>2 A. Yes.</p> <p>3 Q. And were those conducted</p> <p>4 individually?</p> <p>5 A. Yes.</p> <p>6 Q. And how were those</p> <p>7 interviews conducted?</p> <p>8 A. Well, an appointment was --</p> <p>9 how do you say -- was set. And when the</p> <p>10 time came, I was on the line, and one of</p> <p>11 the team members at Analysis Group</p> <p>12 contacted -- I believe contacted or went</p> <p>13 to the site. It was a phone interview,</p> <p>14 but I forget exactly how it came about.</p> <p>15 But at some point I do</p> <p>16 recall the interviewer saying, is the</p> <p>17 respondent on the line, or something like</p> <p>18 that. So it must have been some -- one</p> <p>19 of those services. And at some point the</p> <p>20 respondent said, yeah, I'm on the line.</p> <p>21 And I said, thank you for being here.</p> <p>22 And the questions started.</p> <p>23 Q. And so all 14 of the</p> <p>24 interviews were conducted over the</p>	<p>1 A. So one of them is Kate</p> <p>2 Schofield. The other person's name is</p> <p>3 Greg Weiss.</p> <p>4 Q. W-E-I-S-S?</p> <p>5 A. Yes.</p> <p>6 Q. And who -- for whom does</p> <p>7 Kate Schofield work?</p> <p>8 A. They are both at Analysis</p> <p>9 Group.</p> <p>10 Q. Did they each conduct seven,</p> <p>11 or how did they divide them up?</p> <p>12 A. I don't remember exactly.</p> <p>13 Each conducted several interviews. I</p> <p>14 don't remember the exact distribution.</p> <p>15 Q. And those two individuals</p> <p>16 were responsible, together, for</p> <p>17 conducting all 14?</p> <p>18 A. Yes.</p> <p>19 Q. And you listened to all 14?</p> <p>20 A. Yes.</p> <p>21 Q. And you listened to all 14</p> <p>22 as they were occurring?</p> <p>23 A. Yes.</p> <p>24 Q. Were the preliminary</p>
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<p>1 telephone?</p> <p>2 A. As far as I recall, yes.</p> <p>3 Q. And there was no video</p> <p>4 participation?</p> <p>5 A. I believe that's correct.</p> <p>6 Q. And other than you, who else</p> <p>7 listened to the 14 interviews at the time</p> <p>8 they were conducted?</p> <p>9 A. I'm not sure. There might</p> <p>10 have been other people or one person at</p> <p>11 Analysis Group -- I'm not sure, exactly.</p> <p>12 Obviously, the person who</p> <p>13 was the interviewer was there, but it's</p> <p>14 quite possible that one or two other</p> <p>15 people from AG were listening as well.</p> <p>16 Q. And AG refers to Analysis</p> <p>17 Group?</p> <p>18 A. Yes.</p> <p>19 Q. Who was the interview? Was</p> <p>20 it the same interview for each of the</p> <p>21 14 interviews?</p> <p>22 A. There were two interviewers.</p> <p>23 I don't know if -- you want their names?</p> <p>24 Q. Yes.</p>	<p>1 interview respondents given any questions</p> <p>2 in writing?</p> <p>3 A. I don't -- I don't think so.</p> <p>4 Q. And did the preliminary</p> <p>5 interview respondents provide any written</p> <p>6 answers?</p> <p>7 A. I don't think so, no.</p> <p>8 Q. And were the answers that</p> <p>9 were given by the preliminary interview</p> <p>10 subjects recorded in any way?</p> <p>11 A. No, at least not to my</p> <p>12 knowledge.</p> <p>13 Q. Why not?</p> <p>14 A. As I said, I -- I listened</p> <p>15 to them, and the -- the interviewer</p> <p>16 listened to them, so I saw no need to</p> <p>17 record them.</p> <p>18 Q. Did you take any notes at</p> <p>19 all?</p> <p>20 A. I did not.</p> <p>21 Q. Did the interviewer take any</p> <p>22 notes at all?</p> <p>23 A. Not to my knowledge.</p> <p>24 Q. Did the -- anyone else at</p>

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<p>1 Analysis Group take any notes in any way</p> <p>2 of the calls?</p> <p>3 A. Not that I'm aware.</p> <p>4 Q. Were the subjects told that</p> <p>5 you were listening in?</p> <p>6 A. I don't recall.</p> <p>7 Q. Did you introduce yourself?</p> <p>8 A. I did not.</p> <p>9 Q. And were the interviews</p> <p>10 recorded in any way?</p> <p>11 A. You just asked me that, and</p> <p>12 I think I said --</p> <p>13 Q. I mean by, like, an audio</p> <p>14 device.</p> <p>15 A. As far as I know, the answer</p> <p>16 is no.</p> <p>17 Q. Do you know whether any</p> <p>18 attorneys for Google were present during</p> <p>19 the interviews?</p> <p>20 A. Not that -- I don't think</p> <p>21 so. I'm certainly not aware of that.</p> <p>22 Q. Do you know whether any</p> <p>23 Google employees were present during any</p> <p>24 of the interviews?</p>	<p>1 or still do have -- or maybe I shouldn't</p> <p>2 go into my working with Analysis Group.</p> <p>3 But I do talk to them quite</p> <p>4 often, such as once a week. And it's</p> <p>5 quite possible that we discussed those</p> <p>6 interviews.</p> <p>7 MS. DEARBORN: And --</p> <p>8 BY MS. WOOD:</p> <p>9 Q. You don't have to disclose</p> <p>10 anything about your communications with</p> <p>11 Analysis Group.</p> <p>12 MS. DEARBORN: Thank you.</p> <p>13 BY MS. WOOD:</p> <p>14 Q. My question really relates</p> <p>15 to written summaries of those interviews.</p> <p>16 Did those exist, to your knowledge?</p> <p>17 A. No. At least, yeah, to my</p> <p>18 knowledge, no.</p> <p>19 Q. And how was it determined</p> <p>20 that 14 interviews would be conducted?</p> <p>21 A. I don't think that we</p> <p>22 started by saying, let's have 14.</p> <p>23 I think I just wanted to get</p> <p>24 a feel, as I explained, for the kind of</p>
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<p>1 A. Same answer. I don't think</p> <p>2 so.</p> <p>3 Q. Were any employees of</p> <p>4 Advertiser Perceptions present during the</p> <p>5 interviews?</p> <p>6 A. I don't think so.</p> <p>7 Q. Did Ms. Schofield or</p> <p>8 Ms. Weiss know any of the respondents who</p> <p>9 participated in the preliminary</p> <p>10 interviews, to your knowledge?</p> <p>11 A. No.</p> <p>12 Q. And were the interviewees</p> <p>13 told that other people were listening to</p> <p>14 the conversation?</p> <p>15 A. As I said, I don't recall.</p> <p>16 Q. Did you produce any writing</p> <p>17 after the interviews took place,</p> <p>18 summarizing your thoughts and ideas about</p> <p>19 the interviews?</p> <p>20 A. No.</p> <p>21 Q. Are you aware of anyone else</p> <p>22 doing so?</p> <p>23 A. Not that I recall. I mean,</p> <p>24 it's possible. I mean, we -- I did have</p>	<p>1 respondent that we will get. Just listen</p> <p>2 to the way they talk about their work and</p> <p>3 advertising. That was about it.</p> <p>4 So, you know, I'm not sure</p> <p>5 that I set out to have 14 interviews</p> <p>6 exactly. I just -- they -- as I said,</p> <p>7 those qualitative interviews had a very</p> <p>8 limited role, did not provide the</p> <p>9 basis -- I mean, with those couple of</p> <p>10 exceptions where they provided --</p> <p>11 provided one input.</p> <p>12 But they did not have any</p> <p>13 specific purpose with respect to -- to</p> <p>14 building the questionnaire. It was a</p> <p>15 very limited part of this survey, the</p> <p>16 ultimate survey, I should say.</p> <p>17 Q. You said you didn't have the</p> <p>18 objective to interview 14. What was your</p> <p>19 objective in terms of the number of</p> <p>20 preliminary interviews you wanted to</p> <p>21 have?</p> <p>22 A. I -- I don't recall having a</p> <p>23 specific number in mind. A few.</p> <p>24 Q. Well, how did the number end</p>

<p style="text-align: right;">Page 126</p> <p>1 up 14?</p> <p>2 A. Things happen. I don't</p> <p>3 know. I think I felt that no additional</p> <p>4 information would be gained by conducting</p> <p>5 more such interviews.</p> <p>6 Q. So you didn't set out in</p> <p>7 advance to interview a set number of</p> <p>8 participants?</p> <p>9 A. Not -- not a specific</p> <p>10 number, right.</p> <p>11 Q. And how were the interview</p> <p>12 respondents chosen?</p> <p>13 A. I assume randomly. I mean,</p> <p>14 they were just names that appear --</p> <p>15 Q. You say you assume randomly.</p> <p>16 Do you know how they were chosen?</p> <p>17 A. No, there was no -- there</p> <p>18 was no given number. They were not</p> <p>19 supposed to be -- it wasn't important</p> <p>20 whether they are random or not random. I</p> <p>21 wanted to have advertisers, some large,</p> <p>22 some small, and some agencies. That's</p> <p>23 about it. And Advertiser Perceptions has</p> <p>24 a large panel, and those names happened</p>	<p style="text-align: right;">Page 128</p> <p>1 form.</p> <p>2 THE WITNESS: As far as the</p> <p>3 qualitative interviews are</p> <p>4 concerned, I'd say that that is</p> <p>5 -- I don't see what -- what else</p> <p>6 is there. They just pick a few</p> <p>7 names.</p> <p>8 But it did not make any</p> <p>9 difference because of the limited</p> <p>10 purpose of those qualitative</p> <p>11 interviews.</p> <p>12 And I don't know exactly --</p> <p>13 yeah. So let me stop there.</p> <p>14 It's just people to talk</p> <p>15 to. Some are large advertisers.</p> <p>16 Some are small. Some are</p> <p>17 agencies.</p> <p>18 BY MS. WOOD:</p> <p>19 Q. What were the range of</p> <p>20 spending levels of the interview</p> <p>21 participants?</p> <p>22 A. I don't recall, as I said.</p> <p>23 Some were over half a million. Some were</p> <p>24 under half a million. And some were</p>
<p style="text-align: right;">Page 127</p> <p>1 to be selected from that panel.</p> <p>2 Q. How did they happen to be</p> <p>3 selected?</p> <p>4 A. These are just names that</p> <p>5 were provided by AP to Analysis Group,</p> <p>6 and they were interviewed.</p> <p>7 Q. Do you know how AP selected</p> <p>8 the names?</p> <p>9 A. In that case, I don't. Nor</p> <p>10 was it important for me. Because, again,</p> <p>11 I did not rely on those interviews for</p> <p>12 any statistical conclusions or otherwise.</p> <p>13 Q. Did you ask AP how they</p> <p>14 selected them?</p> <p>15 A. I don't think so, no. As I</p> <p>16 said, it was just not important for that</p> <p>17 limited purpose of those qualitative</p> <p>18 interviews.</p> <p>19 Q. And so to you, it didn't</p> <p>20 matter whether AP selected the</p> <p>21 respondents randomly or by design to meet</p> <p>22 some certain predetermined criteria that</p> <p>23 AP had in mind?</p> <p>24 MS. DEARBORN: Objection to</p>	<p style="text-align: right;">Page 129</p> <p>1 agencies.</p> <p>2 Q. And how many were over half</p> <p>3 a million?</p> <p>4 A. It was maybe five. I just</p> <p>5 don't remember.</p> <p>6 Q. Was it five, or you don't</p> <p>7 recall?</p> <p>8 A. I don't know if it was five</p> <p>9 or four.</p> <p>10 Q. Okay. It was either four or</p> <p>11 five?</p> <p>12 A. Right.</p> <p>13 Q. And how many were under</p> <p>14 \$500,000 in spend?</p> <p>15 A. Same answer.</p> <p>16 Q. You don't recall, but it was</p> <p>17 either four or five?</p> <p>18 A. Right.</p> <p>19 Q. And how many were agency</p> <p>20 interview participants?</p> <p>21 A. Either four or five.</p> <p>22 Q. And you don't recall?</p> <p>23 A. Right. I mean, we can --</p> <p>24 perhaps it was listed.</p>

<p style="text-align: right;">Page 130</p> <p>1 I think the -- I mean, I do</p> <p>2 know that the report list, it said that X</p> <p>3 interviews, qualitative interviews, were</p> <p>4 conducted.</p> <p>5 Q. It says 14 were conducted.</p> <p>6 It doesn't indicate what the --</p> <p>7 A. It doesn't indicate. Okay.</p> <p>8 So maybe I misremembered.</p> <p>9 Q. -- it doesn't break it down,</p> <p>10 correct?</p> <p>11 A. It was -- I do know that</p> <p>12 of -- out of the three groups, two had</p> <p>13 five respondents and one had four.</p> <p>14 Q. And you don't know which</p> <p>15 respondent group had less than the other</p> <p>16 two?</p> <p>17 A. That's correct.</p> <p>18 Q. Okay. Did you intend to</p> <p>19 have the same number of interview</p> <p>20 participants from each category?</p> <p>21 A. Approximately.</p> <p>22 Q. And why was -- why were you</p> <p>23 unable to do that?</p> <p>24 MS. DEARBORN: Objection to</p>	<p style="text-align: right;">Page 132</p> <p>1 excluded based on the no-contact list</p> <p>2 that you've provided in Appendix I to</p> <p>3 your report?</p> <p>4 A. You're talking about</p> <p>5 qualitative interviews?</p> <p>6 Q. For the preliminary</p> <p>7 interviews we've been talking about, the</p> <p>8 14 preliminary interviews, did that</p> <p>9 exclude companies and individuals listed</p> <p>10 in the no-contact list, which is in</p> <p>11 Appendix I to your report?</p> <p>12 A. Correct.</p> <p>13 Q. And do you know what</p> <p>14 percentage of the ad pros panel was</p> <p>15 excluded due to the participant being on</p> <p>16 the no-contact list?</p> <p>17 A. I think the number, if I</p> <p>18 recall correctly, might have been</p> <p>19 something in the neighborhood of 400.</p> <p>20 I mean, the total list is</p> <p>21 580, but it includes publishers and some</p> <p>22 other non-advertiser categories. So I</p> <p>23 think it ended up being somewhere in the</p> <p>24 neighborhood of 400.</p>
<p style="text-align: right;">Page 131</p> <p>1 form.</p> <p>2 THE WITNESS: I didn't -- I</p> <p>3 didn't -- as I've explained now a</p> <p>4 couple of times, given the</p> <p>5 limited role of the qualitative</p> <p>6 interviews, it made no</p> <p>7 difference.</p> <p>8 And at some point I felt</p> <p>9 like, okay, everything that I</p> <p>10 could conceivably get from those</p> <p>11 qualitative interviews, I did.</p> <p>12 There was no need to conduct</p> <p>13 more.</p> <p>14 BY MS. WOOD:</p> <p>15 Q. And you didn't intend that</p> <p>16 the preliminary interviews be conducted</p> <p>17 from a representative sample?</p> <p>18 A. That's correct.</p> <p>19 Q. And did you intend for the</p> <p>20 preliminary interviews to include a</p> <p>21 representative sample of job titles or</p> <p>22 responsibilities?</p> <p>23 A. No.</p> <p>24 Q. Were interview participants</p>	<p style="text-align: right;">Page 133</p> <p>1 Q. But for the preliminary</p> <p>2 interview participants, they were all</p> <p>3 taken from Ad Perceptions ad pros panel,</p> <p>4 correct?</p> <p>5 A. Again, but those that were</p> <p>6 excluded were -- were excluded for --</p> <p>7 also for the qualitative interviews.</p> <p>8 Q. Understood.</p> <p>9 Let me just -- let me</p> <p>10 focus -- if you could just focus on my</p> <p>11 question, I promise I'm going to get to</p> <p>12 that point.</p> <p>13 I just want to know, in the</p> <p>14 beginning, isn't it true for the</p> <p>15 14 preliminary interviews that were</p> <p>16 conducted, they were all taken from</p> <p>17 Advertiser Perceptions ad pros panel; is</p> <p>18 that right?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And do you know, of</p> <p>21 the members of Ad Perceptions ad pros</p> <p>22 panel, how -- what percentage were</p> <p>23 excluded due to the no-contact list?</p> <p>24 A. So I just gave you the</p>

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1 number.

2 I forget the total number of

3 members they have on that panel, but I

4 said it's somewhere in the neighborhood

5 of 400.

6 Q. The number of -- of members

7 of ad pros panel is 400?

8 A. No. The number that were

9 excluded because of the -- what did you

10 refer to it -- no-call list is

11 approximately 400.

12 Q. And were all 400 of the

13 individuals on the no-contact list

14 already prior members of the ad pros

15 panel?

16 A. I think so. You know, I'm

17 not sure about every single one. I would

18 assume that most of them are.

19 Q. How many members of the ad

20 pros panel are there?

21 A. I -- right now, I don't

22 recall the total number. It's probably

23 changing daily. But I don't remember the

24 exact number.

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1 Q. Are we talking about

2 hundreds, thousands?

3 A. I think thousands.

4 Q. Okay. And of the thousands

5 that are on that list, approximately 400

6 were excluded because they were on the

7 no-contact list; is that right?

8 A. Right.

9 Q. And the 400 on the

10 no-contact list, that includes company

11 names, correct?

12 A. As opposed to what?

13 Q. Individual names.

14 A. Yeah. Company names, yes.

15 Q. So do you know whether the

16 add pros list, when you said that you

17 thought the ad pros list was somewhere in

18 the thousands, is the ad pros list a list

19 of individuals or company names?

20 A. You know, I forget. But I

21 think there are thousands of companies.

22 Q. Companies?

23 A. Companies.

24 Q. And of those thousands of

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1 companies, 400 companies or individuals

2 were excluded; is that right?

3 MS. DEARBORN: Objection to

4 form.

5 THE WITNESS: Yeah.

6 Something like that. I mean,

7 approximately, yes.

8 BY MS. WOOD:

9 Q. And am I right that if a

10 company name was on the no-contact list,

11 no individual from that company was

12 allowed to participate, correct?

13 A. That's correct.

14 Q. But you don't know the

15 percentage of the ad pro panel that was

16 excluded due to the no-contact list?

17 A. I don't remember.

18 Q. Do you have that information

19 anywhere, preserved?

20 A. I don't think so.

21 Q. When you say you don't think

22 so, is it possible you have it preserved

23 somewhere?

24 A. No.

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1 I mean, I don't know. I

2 hesitate to say no. I'm sure it's

3 something that could be easily

4 determined, but sitting here now, I don't

5 recall seeing such a number.

6 Q. How would you go about

7 determining it?

8 A. Well, I visited AP website a

9 number of times, and I don't recall right

10 now if they state the exact number of

11 members they have. I'm sure that could

12 help.

13 Q. Do you remember the names of

14 the ad agencies that were -- participated

15 in the preliminary interview?

16 A. I do not.

17 Q. You don't remember any of

18 their names?

19 A. I do not. I'm trying to

20 think if I ever knew. I don't know. I'm

21 not sure. I don't recall knowing their

22 names.

23 Q. Were there names recorded

24 somewhere?



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<p>1 A. I'm not aware of that.</p> <p>2 Q. You don't think there's any</p> <p>3 recording anywhere of what ad agencies</p> <p>4 were participants in your 14 preliminary</p> <p>5 interviews?</p> <p>6 A. I don't recall receiving it.</p> <p>7 I don't want to speculate</p> <p>8 about their names being -- being</p> <p>9 available somewhere.</p> <p>10 Q. Well, did you ask either</p> <p>11 Analysis Group or AP to maintain a record</p> <p>12 of who was, in fact, interviewed as part</p> <p>13 of this process?</p> <p>14 A. No.</p> <p>15 Q. Why not?</p> <p>16 A. It was not important at all.</p> <p>17 As I explained, the purpose</p> <p>18 of those qualitative interviews were --</p> <p>19 was very limited, and it would have made</p> <p>20 no difference if the agency is X or Y.</p> <p>21 Q. Didn't you ask that the</p> <p>22 respondents who participated in the</p> <p>23 preliminary interview not be invited to</p> <p>24 participate in the subsequent surveys?</p>	<p>1 the individuals who participated in the</p> <p>2 preliminary interviews excluded from the</p> <p>3 survey?</p> <p>4 A. To my knowledge, yes.</p> <p>5 Q. And to your knowledge,</p> <p>6 were -- for the individuals who</p> <p>7 participated in the preliminary</p> <p>8 interviews, were their respective</p> <p>9 companies excluded from the survey or</p> <p>10 only the individual?</p> <p>11 A. I mean, right now, sitting</p> <p>12 here now, I don't remember the answer.</p> <p>13 It may be another business</p> <p>14 unit from the same company might have</p> <p>15 been interviewed. But, actually, I</p> <p>16 should not speculate about it. I'm not</p> <p>17 sure.</p> <p>18 Q. What were your instructions?</p> <p>19 A. I don't recall giving</p> <p>20 specific instructions on that issue.</p> <p>21 Q. Do you recall the company</p> <p>22 names of any of the individuals who were</p> <p>23 interviewed as part of the 14 preliminary</p> <p>24 interviews?</p>
Page 139	Page 141
<p>1 A. Yes.</p> <p>2 Q. So how could you ensure that</p> <p>3 they were eliminated from subsequent</p> <p>4 surveys if there was no record kept of</p> <p>5 who they were?</p> <p>6 A. AP, I assume, knew who was</p> <p>7 interviewed.</p> <p>8 Q. Okay. So AP had a record of</p> <p>9 who was interviewed.</p> <p>10 A. Oh, yeah. Yes. Okay.</p> <p>11 I assume that AP did -- I</p> <p>12 mean, AP gave the names, and they knew</p> <p>13 who was interviewed, and they could make</p> <p>14 sure that the same people would not be</p> <p>15 invited later.</p> <p>16 Q. Okay. So AP has a list of</p> <p>17 who -- who the 14 interview participants</p> <p>18 were?</p> <p>19 MS. DEARBORN: Objection to</p> <p>20 form.</p> <p>21 THE WITNESS: I believe so,</p> <p>22 yes.</p> <p>23 BY MS. WOOD:</p> <p>24 Q. And to your knowledge, were</p>	<p>1 A. No.</p> <p>2 Q. You don't recall a single</p> <p>3 company name?</p> <p>4 MS. DEARBORN: Objection.</p> <p>5 THE WITNESS: I don't -- if</p> <p>6 I'm not wrong, I never knew their</p> <p>7 names in the first place.</p> <p>8 BY MS. WOOD:</p> <p>9 Q. What were the gender of the</p> <p>10 participants in the interview?</p> <p>11 A. I think there are two</p> <p>12 primary genders. So I'm -- what do you</p> <p>13 mean by what were the genders?</p> <p>14 Q. What was the gender</p> <p>15 distribution of the interview</p> <p>16 participants?</p> <p>17 A. Didn't kept track of that.</p> <p>18 It made no difference whatsoever. They</p> <p>19 were whatever they were.</p> <p>20 Q. Did you speak to any women?</p> <p>21 A. I did not speak to anyone.</p> <p>22 Q. Did you hear a conversation</p> <p>23 involving a woman interview participant?</p> <p>24 A. I'm pretty sure that the</p>

<p style="text-align: right;">Page 150</p> <p>1 memories?</p> <p>2 A. As I said, nothing comes to</p> <p>3 mind, but it's quite possible I did.</p> <p>4 Q. Okay. Do you think it's</p> <p>5 important for a preliminary interview to</p> <p>6 be capable of evaluation?</p> <p>7 A. Could you repeat that.</p> <p>8 Q. Do you think it's important</p> <p>9 for a preliminary interview to be capable</p> <p>10 of evaluation?</p> <p>11 MS. DEARBORN: Form.</p> <p>12 THE WITNESS: As I said, I</p> <p>13 typically don't -- don't conduct</p> <p>14 preliminary interviews.</p> <p>15 You know, sometimes, I</p> <p>16 think it may be good for the</p> <p>17 doctoral student to conduct them,</p> <p>18 and maybe that would give that</p> <p>19 student an idea.</p> <p>20 But -- so -- so I don't</p> <p>21 have such rules about the impact</p> <p>22 or the use of preliminary</p> <p>23 interviews for evaluation,</p> <p>24 whatever you mean by evaluation.</p>	<p style="text-align: right;">Page 152</p> <p>1 let him finish his answers.</p> <p>2 THE WITNESS: It's such a</p> <p>3 generic question. Maybe there</p> <p>4 are conceivable situations.</p> <p>5 Let's say my students</p> <p>6 conduct, as part of their class</p> <p>7 assignment, they conduct such</p> <p>8 interviews, and they think it's</p> <p>9 important for me to share -- to</p> <p>10 share with me, I should say, then</p> <p>11 maybe they should present it in a</p> <p>12 way that I can evaluate whatever</p> <p>13 they are studying.</p> <p>14 So it really depends. But,</p> <p>15 I mean, the term "evaluation" is</p> <p>16 so generic. It could mean all</p> <p>17 kinds of things.</p> <p>18 So I'm not sure how to --</p> <p>19 how you want to -- how you want</p> <p>20 me to interpret it.</p> <p>21 BY MS. WOOD:</p> <p>22 Q. Was the preliminary</p> <p>23 interview guide which appears at</p> <p>24 Appendix D to your report intended to be</p>
<p style="text-align: right;">Page 151</p> <p>1 BY MS. WOOD:</p> <p>2 Q. When preliminary interviews</p> <p>3 are used to shape a survey, do you think</p> <p>4 it's important for the preliminary</p> <p>5 interviews to be capable of evaluation?</p> <p>6 MS. DEARBORN: Form.</p> <p>7 THE WITNESS: What do you</p> <p>8 mean by -- can you define</p> <p>9 evaluation?</p> <p>10 BY MS. WOOD:</p> <p>11 Q. Evaluation by others.</p> <p>12 MS. DEARBORN: Same</p> <p>13 objection.</p> <p>14 THE WITNESS: Evaluation --</p> <p>15 absolutely not. I mean, it</p> <p>16 depends. Again, it's such a</p> <p>17 generic question --</p> <p>18 BY MS. WOOD:</p> <p>19 Q. Well, is your answer</p> <p>20 "absolutely not" or "it depends"?</p> <p>21 MS. DEARBORN: Counsel,</p> <p>22 please let the witness finish his</p> <p>23 answer. This is the third time</p> <p>24 you've interrupted him. Please</p>	<p style="text-align: right;">Page 153</p> <p>1 read verbatim to the participants?</p> <p>2 MS. DEARBORN: Objection to</p> <p>3 form.</p> <p>4 Go ahead.</p> <p>5 THE WITNESS: As I said, it</p> <p>6 was unstructured.</p> <p>7 As I also said, not all of</p> <p>8 the listed questions were asked.</p> <p>9 And some other questions were</p> <p>10 asked, depending on how the</p> <p>11 interview evolved.</p> <p>12 BY MS. WOOD:</p> <p>13 Q. My question was your intent.</p> <p>14 Was the preliminary</p> <p>15 interview guide intended to be read</p> <p>16 verbatim to the participants?</p> <p>17 A. No.</p> <p>18 MS. DEARBORN: Objection.</p> <p>19 Give me a minute to get an</p> <p>20 objection in.</p> <p>21 THE WITNESS: I apologize.</p> <p>22 MS. DEARBORN: Objection to</p> <p>23 form. Asked and answered.</p> <p>24 BY MS. WOOD:</p>

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1 Q. And who made the decision to  
2 tell the participants at the outset of  
3 the preliminary interview that the  
4 interview was being conducted on Google's  
5 behalf?

6 A. I think that -- that --  
7 something that the AG people and I  
8 decided to do.

9 It's possible, I don't have  
10 a specific recollection, that it also  
11 involved a discussion with an attorney.

12 MS. DEARBORN: And as  
13 usual, please exclude from all of  
14 your answers, discussions with  
15 attorneys.

16 Thank you.

17 BY MS. WOOD:

18 Q. I'm not asking about any of  
19 the discussions you had with your counsel  
20 or counsel for Google.

21 I do want to know, yes or  
22 no, whether you made the decision as  
23 opposed to someone else making the  
24 decision.

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1 A. No, I -- I did not make the  
2 decision on my own. It was, I'd say, in  
3 consultation with AG and one or more  
4 attorney, I think.

5 Q. Attorneys from where?

6 A. Who represent Google.

7 Q. Attorneys from what --  
8 from -- attorney -- inhouse counsel at  
9 Google or outside counsel to Google?

10 A. No. I'm just talking about  
11 outside counsel.

12 Q. Outside counsel from what  
13 firm?

14 A. I do not -- do not recall.

15 Q. So outside counsel for  
16 Google were involved in discussions about  
17 whether to disclose to interview  
18 participants at the outset of the  
19 interview that the interview was being  
20 conducted on Google's behalf; is that  
21 correct?

22 MS. DEARBORN: You can --  
23 you can answer that yes or no.  
24 But please do not reveal the

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1 substance of any communications  
2 with counsel.

3 THE WITNESS: I don't have  
4 a specific recollection. But if  
5 you ask me to try to answer as to  
6 the best of my ability, I think,  
7 yeah, that -- that did happen  
8 before those preliminary  
9 interviews were conducted.

10 BY MS. WOOD:

11 Q. And what was the purpose of  
12 telling interview participants at the  
13 outset that the interview was being  
14 conducted on Google's behalf?

15 A. So -- so, again, I don't  
16 want to reveal discussions with  
17 attorneys. But -- and you know that in  
18 the actual surveys, such information was  
19 provided at the very end.

20 Now, the qualitative  
21 interviews, as I said, lasted about an  
22 hour. And it's kind of conversational,  
23 with -- you know, you say the interview  
24 is saying something -- the interviewee is

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1 saying something, and then the  
2 interviewer follows up with that. Say,  
3 oh, you just said X.

4 Even though the follow-up is  
5 not among the questions in this  
6 questionnaire, but they would follow up.

7 And it seemed, in that  
8 context, when you have an hour discussion  
9 with someone, to say, oh, thank you for  
10 your time. By the way, this -- this  
11 survey is -- was done on behalf of Google  
12 and in connection with antitrust  
13 litigation.

14 That seemed sort of unfair,  
15 in my judgment, unfair to the respondent,  
16 because they just, you know, spent a lot  
17 of time. And I'm not sure how I would  
18 feel if I were the respondent.

19 And for whatever reason,  
20 that's -- even though I'm assured of  
21 confidentiality, if someone said, well,  
22 you know, you just spent an hour, you  
23 should know what your surveys are used  
24 for, or -- in what context they are -- I

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1 felt that made me uncomfortable.  
2 And for those interviews,  
3 given their very limited purpose, I felt  
4 it was fine.  
5 And especially -- and I  
6 should emphasize, if you look at the  
7 questions, they never asked -- it's not a  
8 user satisfaction survey. There was  
9 no -- there were no questions about how  
10 much do you like Google as opposed to  
11 someone else. So, therefore, I couldn't  
12 think of any bias that could have been  
13 created.  
14 But in any case, given the  
15 nature of those preliminary interviews, I  
16 thought it would be fair to tell them  
17 upfront. If they were not interested,  
18 that would be fine.  
19 Q. Were each of the  
20 14 interview participants instructed that  
21 the interview was being conducted on  
22 Google's behalf?  
23 A. They received information  
24 that appeared at the introduction to the

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1 survey that you see in the exhibit.  
2 Q. So that part was read  
3 verbatim?  
4 A. Yes.  
5 Q. To each of the  
6 14 participants?  
7 A. Correct.  
8 Q. And based on that disclosure  
9 at the outset of the preliminary  
10 interview, did any of the interview  
11 participants decline to participate?  
12 A. Not that I recall. I don't  
13 think so.  
14 Q. Is that something you would  
15 recall?  
16 A. I think I would, but one  
17 never knows. But I think I would.  
18 Q. What was the purpose of  
19 telling interview participants at the  
20 outset, not only that the interview was  
21 on Google's behalf, but also that it was  
22 in connection with pending antitrust  
23 lawsuits in which the plaintiffs allege  
24 that Google engaged in anti-competitive

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1 conduct related to digital advertising?  
2 MS. DEARBORN: Form.  
3 THE WITNESS: Just -- I  
4 don't know if you call it full  
5 disclosure. It's probably not  
6 full. But it's a pretty  
7 extensive disclosure.  
8 And the decision was made  
9 that that's information that  
10 should be shared with those  
11 respondents.  
12 BY MS. WOOD:  
13 Q. Did you do any analysis of  
14 how that disclosure might impact the  
15 results of the preliminary interviews?  
16 A. Yes.  
17 Q. And what was your analysis?  
18 A. As I just said, I concluded  
19 that there was no reason that this  
20 disclosure would affect any of the  
21 answers.  
22 Again, this was not one of  
23 those surveys where you are opining on  
24 this company or that company, which may

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1 create some sort of bias, or impression  
2 management, as it's sometimes referred  
3 to.  
4 Q. But you did no A/B testing  
5 to determine whether the results were  
6 different in groups who didn't have that  
7 disclosure versus results in groups that  
8 did have that disclosure, correct?  
9 A. That's correct. Obviously,  
10 there were 14 respondents. It would not  
11 be meaningful to do A/B testing.  
12 And, again, there was a  
13 limited purpose to those interviews, as I  
14 already explained a few times. And,  
15 consequently, it really didn't matter  
16 much.  
17 Q. Were any of the preliminary  
18 interviews terminated prior to  
19 completion?  
20 A. I don't think so.  
21 Q. Did you or Analysis Group  
22 attempt any interviews other than the 14  
23 that were ultimately conducted?  
24 A. Not that I'm aware.

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<p>1 Q. At the beginning of the</p> <p>2 preliminary interview guide, it asks if</p> <p>3 the participant has any questions before</p> <p>4 the interviewer is to continue.</p> <p>5 Do you recall whether any of</p> <p>6 the interview participants asked any</p> <p>7 questions at that point?</p> <p>8 A. I don't recall that they</p> <p>9 did, but it's not inconceivable. I just</p> <p>10 don't recall any questions.</p> <p>11 Q. Do you recall whether any of</p> <p>12 the interview participants asked</p> <p>13 questions about Google's sponsorship</p> <p>14 and/or the litigation involving Google?</p> <p>15 A. I do not recall, no.</p> <p>16 Q. You don't recall that one</p> <p>17 way or the other?</p> <p>18 A. I just don't recall any</p> <p>19 question being asked.</p> <p>20 Q. But you don't deny there</p> <p>21 might have been questions asked?</p> <p>22 MS. DEARBORN: Objection to</p> <p>23 form.</p> <p>24 THE WITNESS: You cannot</p>	<p>1 of telling them, your company is not</p> <p>2 involved, so that respondents don't feel</p> <p>3 like maybe they are inadvertently saying</p> <p>4 something that may come to -- or that may</p> <p>5 be used against their own company.</p> <p>6 Q. What was your basis for</p> <p>7 suggesting that the participant's company</p> <p>8 was not involved?</p> <p>9 A. There was a list of</p> <p>10 companies that we talked about, and</p> <p>11 they -- those who were included in the</p> <p>12 preliminary interviews were not on that</p> <p>13 list.</p> <p>14 Q. And that list is Appendix I</p> <p>15 of your -- to your report, correct?</p> <p>16 A. Yes, I believe so.</p> <p>17 Q. And Appendix I is dated as</p> <p>18 of August 15, 2023.</p> <p>19 Do you see that?</p> <p>20 A. Let's see. Let me find</p> <p>21 that.</p> <p>22 MS. DEARBORN: Counsel, if</p> <p>23 you'd like me to help the</p> <p>24 witness -- he found it.</p>
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<p>1 deny something that you're not</p> <p>2 aware of.</p> <p>3 I was there. I listened to</p> <p>4 the interviews. I don't remember</p> <p>5 any questions.</p> <p>6 BY MS. WOOD:</p> <p>7 Q. But it's possible that you</p> <p>8 forgot?</p> <p>9 A. We -- yeah. We are all</p> <p>10 human, and we are capable of forgetting.</p> <p>11 Q. In the introduction to the</p> <p>12 preliminary interview guide, it states,</p> <p>13 "Based on our research, we understand</p> <p>14 that your company is not a participant in</p> <p>15 those lawsuits."</p> <p>16 What did you mean by "a</p> <p>17 participant in those lawsuits"?</p> <p>18 A. Well, that was a way of</p> <p>19 saying -- I mean, I didn't want to kind</p> <p>20 of get into, well, you should know that</p> <p>21 those who got, say, a subpoena or -- et</p> <p>22 cetera. It was determined that they</p> <p>23 should not participate in the survey.</p> <p>24 So that was a succinct way</p>	<p>1 THE WITNESS: I found the</p> <p>2 appendix. Yeah.</p> <p>3 Let's see. Okay.</p> <p>4 BY MS. WOOD:</p> <p>5 Q. Were -- were there other</p> <p>6 iterations of the no-contact list other</p> <p>7 than this one that is as of August 15,</p> <p>8 2023?</p> <p>9 A. I'm not aware of any other</p> <p>10 list.</p> <p>11 Q. Were any interviews of any</p> <p>12 kind conducted prior to August 15, 2023?</p> <p>13 A. I don't think so.</p> <p>14 Q. You indicated in your</p> <p>15 report, at Paragraph 34, that these</p> <p>16 people that appear on -- in Appendix I,</p> <p>17 the no-contact list, were excluded at the</p> <p>18 direction of counsel.</p> <p>19 A. Right.</p> <p>20 Q. Is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. Was the intent, to your</p> <p>23 understanding, to exclude individuals or</p> <p>24 entities that might have a stake in</p>

<p style="text-align: right;">Page 242</p> <p>1 unclear.</p> <p>2                   You didn't provide that</p> <p>3 instruction, though, right?</p> <p>4           A.     Again, that would have been</p> <p>5 a mistake.</p> <p>6                   I actually did -- did</p> <p>7 research on exactly that sort of issue,</p> <p>8 where, for example, in one study, there</p> <p>9 is some respondents -- some participants</p> <p>10 who entered a supermarket. And I told</p> <p>11 them, when you -- after you shop at a</p> <p>12 supermarket, I'm going to interview you</p> <p>13 when you walk out of the supermarket and</p> <p>14 ask you about your experience.</p> <p>15                   Other shoppers entered the</p> <p>16 store and were not told that,</p> <p>17 subsequently, they would be asked to</p> <p>18 evaluate their experience.</p> <p>19                   And what we found, very</p> <p>20 robust result, is that people who knew in</p> <p>21 advance that they would be interviewed</p> <p>22 about their experience were significantly</p> <p>23 more negative in their evaluations,</p> <p>24 because they figured out that they need</p>	<p style="text-align: right;">Page 244</p> <p>1           A.     Did any of them what?</p> <p>2           Q.     Elect to have their data</p> <p>3 excluded.</p> <p>4           A.     I don't recall that.</p> <p>5           Q.     Did you ask that question?</p> <p>6           A.     Just sitting here now, I do</p> <p>7 not recall.</p> <p>8           Q.     Question 5 of the pretest</p> <p>9 follow-up questions asked, "What do you</p> <p>10 think might be the purpose for conducting</p> <p>11 this survey?"</p> <p>12                   What answers were received</p> <p>13 in response to that question?</p> <p>14           A.     The only thing I generally</p> <p>15 recall is that no one came up with,</p> <p>16 quote-unquote, right answer.</p> <p>17           Q.     What was the right answer?</p> <p>18           A.     Right answer? It's -- I'm</p> <p>19 trying to think what would be the right</p> <p>20 answer here. That I was asked -- I mean,</p> <p>21 I don't know. I don't want to construct</p> <p>22 a right answer.</p> <p>23                   But I don't think this --</p> <p>24 the answers to this question provided</p>
<p style="text-align: right;">Page 243</p> <p>1 to say something constructive. And while</p> <p>2 they are shopping, they're just</p> <p>3 collecting evidence so that they'll have</p> <p>4 something to say when they walk out of</p> <p>5 the supermarket.</p> <p>6                   And I think there is</p> <p>7 something like that here. If you keep</p> <p>8 asking, was there anything unclear in</p> <p>9 what I just asked you. Okay, nothing.</p> <p>10 Then you know the next -- for the next</p> <p>11 question you will be asked something</p> <p>12 similar. And now they are looking for</p> <p>13 something to say.</p> <p>14           Q.     Well, here, you told the</p> <p>15 pretest recipients that you would be</p> <p>16 asking them questions at the end,</p> <p>17 correct?</p> <p>18           A.     Yes.</p> <p>19           Q.     How many of the pretest</p> <p>20 participants agreed to have their data</p> <p>21 used once they learned the purpose of the</p> <p>22 survey?</p> <p>23           A.     I don't -- I don't recall.</p> <p>24           Q.     Did any of them?</p>	<p style="text-align: right;">Page 245</p> <p>1 useful information. But that's what I</p> <p>2 vaguely recall.</p> <p>3           Q.     Were the answers to the</p> <p>4 pretest follow-up questions recorded in</p> <p>5 any way?</p> <p>6           A.     Not that I'm aware.</p> <p>7           Q.     Based on the pretest, the</p> <p>8 survey respondents understood the meaning</p> <p>9 of display advertising; is that correct?</p> <p>10                   MS. DEARBORN: Form.</p> <p>11                   THE WITNESS: Where are you</p> <p>12 reading from?</p> <p>13 BY MS. WOOD:</p> <p>14           Q.     I'm asking the question.</p> <p>15                   Based on the pretesting that</p> <p>16 was done, is it your belief that the</p> <p>17 survey respondents understood the meaning</p> <p>18 of the term "display advertising"?</p> <p>19                   MS. DEARBORN: Form.</p> <p>20                   THE WITNESS: I believe so.</p> <p>21                   As you know, in the actual</p> <p>22 survey, the term "display</p> <p>23 advertising" was defined very</p> <p>24 clearly in the screener of the</p>



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<p>1 questionnaire.</p> <p>2 BY MS. WOOD:</p> <p>3 Q. And based on the pretest,</p> <p>4 you believe that understanding was clear</p> <p>5 to the survey respondents?</p> <p>6 A. Yes.</p> <p>7 Q. But you didn't record those</p> <p>8 responses anywhere?</p> <p>9 A. Right.</p> <p>10 Q. Were the pretest respondents</p> <p>11 asked whether any questions made them</p> <p>12 feel like they should answer in a certain</p> <p>13 way?</p> <p>14 A. Not that I recall. It would</p> <p>15 surprise me if they did, but I don't</p> <p>16 recall anyone saying that.</p> <p>17 Q. For each of the pretests,</p> <p>18 how long did it take them to complete the</p> <p>19 survey?</p> <p>20 A. I do not recall.</p> <p>21 Q. Were you given any data or</p> <p>22 statistics about that?</p> <p>23 A. I don't believe so.</p> <p>24 Q. Do you know whether the</p>	<p>1 any one particular question or any part</p> <p>2 of one question was unclear?</p> <p>3 MS. DEARBORN: Objection.</p> <p>4 Compound.</p> <p>5 THE WITNESS: As I said, I</p> <p>6 wanted to see if something jumps</p> <p>7 out as so -- how do you say it --</p> <p>8 egregious, so unclear, that they</p> <p>9 would talk about it at the</p> <p>10 conclusion of the survey.</p> <p>11 If there was something</p> <p>12 minor, maybe they would or they</p> <p>13 would not.</p> <p>14 BY MS. WOOD:</p> <p>15 Q. Is it fair to say that for</p> <p>16 each of your three surveys, a significant</p> <p>17 number of completed surveys were excluded</p> <p>18 from your analysis?</p> <p>19 MS. DEARBORN: Form.</p> <p>20 THE WITNESS: What do you</p> <p>21 mean by "significant"? What are</p> <p>22 you referring to and what do you</p> <p>23 mean by significant?</p> <p>24 BY MS. WOOD:</p>
Page 247	Page 249
<p>1 amount of time it took the pretest</p> <p>2 participants to take the survey varied</p> <p>3 from the amount of time it took the final</p> <p>4 survey participants to take the survey?</p> <p>5 A. I do not recall.</p> <p>6 Q. If it took participants as</p> <p>7 long as 30 or 45 minutes, would you</p> <p>8 expect them to be able to remember</p> <p>9 questions that had been unclear from 30</p> <p>10 or 45 minutes before?</p> <p>11 A. If something stood out for</p> <p>12 them, they might. But I don't think -- I</p> <p>13 think 30 to 45 minutes is way longer than</p> <p>14 what the survey actually took, on</p> <p>15 average.</p> <p>16 Q. How long did the survey take</p> <p>17 on average?</p> <p>18 A. I think it was something</p> <p>19 such as an average, perhaps, ten minutes</p> <p>20 or so.</p> <p>21 Q. Even after ten minutes,</p> <p>22 would you expect someone to be able to</p> <p>23 remember every question that they were</p> <p>24 asked in ten minutes and remember whether</p>	<p>1 Q. What does the word</p> <p>2 "significant" mean to you?</p> <p>3 MS. DEARBORN: Form.</p> <p>4 THE WITNESS: Funny you</p> <p>5 should ask.</p> <p>6 Significant means</p> <p>7 significant. It's a -- let's</p> <p>8 think about the term "small" and</p> <p>9 "significant."</p> <p>10 Small is small. And</p> <p>11 significant means it's not</p> <p>12 something that you would</p> <p>13 completely ignore. So it's</p> <p>14 something that you would</p> <p>15 consider.</p> <p>16 BY MS. WOOD:</p> <p>17 Q. So using that definition, is</p> <p>18 it fair to say that a significant number</p> <p>19 of the respondents who completed your</p> <p>20 surveys were excluded from your final</p> <p>21 analysis?</p> <p>22 MS. DEARBORN: Form.</p> <p>23 THE WITNESS: What are you</p> <p>24 referring to?</p>

Page 250

1 BY MS. WOOD:

2 Q. Is it fair to say that a

3 significant number of the respondents who

4 completed your surveys were excluded from

5 the final analysis?

6 MS. DEARBORN: Form.

7 THE WITNESS: I'd say

8 probably not.

9 BY MS. WOOD:

10 Q. Why not?

11 A. I mean, what are you

12 referring to now in excluding? Are you

13 talking about those who were excluded

14 because they took less than, say,

15 100 seconds?

16 Q. If you look at the total

17 number of excluded surveys, regardless of

18 the reason for the exclusion, would you

19 agree that a significant number of

20 completed surveys were excluded from your

21 analysis?

22 MS. DEARBORN: Form.

23 THE WITNESS: So you're

24 referring to people who passed

Page 251

1 the screener and were found to be

2 qualified respondents. Is that

3 what you're asking about?

4 BY MS. WOOD:

5 Q. I'm referring to any

6 participant who completed the entire

7 survey but whose data was, nonetheless,

8 excluded.

9 A. I don't know what you're

10 referring to. But I don't think there

11 was a significant number that were --

12 significant number of respondents who

13 were excluded.

14 Q. Okay. So you don't think a

15 significant number were excluded?

16 MS. DEARBORN: Form.

17 THE WITNESS: Right.

18 BY MS. WOOD:

19 Q. Your survey results for the

20 higher-spend and lower-spend advertiser

21 surveys only included respondents who

22 said they worked for a company that

23 "sells products or services and

24 advertises/markets its products or

Page 252

1 services"; is that correct?

2 A. Can you repeat that, please.

3 Q. Your survey results for the

4 higher-spend and lower-spend surveys only

5 included respondents who said they work

6 for a company that "sells products or

7 services and advertises/markets its

8 products or services"; is that correct?

9 A. Yes.

10 Q. And that resulted in a

11 significant number of survey participants

12 being excluded, correct?

13 MS. DEARBORN: Form.

14 THE WITNESS: Right.

15 BY MS. WOOD:

16 Q. It did?

17 A. There were quite a few that

18 were excluded. That's right.

19 I mean, obviously, they

20 didn't complete the survey, so I guess

21 they -- that's not what you -- not what

22 you referred to in your earlier question.

23 Q. Correct. This is a

24 different question.

Page 253

1 A. Okay. Yeah. Quite a few

2 were excluded in that question.

3 Q. Okay. And, in fact, in the

4 high-spend advertiser survey, that

5 resulted in 29 percent of the survey

6 participants being excluded, correct?

7 A. I would have to look at the

8 sample disposition, but that could very

9 well be correct.

10 Q. And then the lower-spend

11 advertiser survey, that resulted in

12 17 percent of survey participants being

13 excluded, correct?

14 A. Okay. Again, I didn't

15 memorize those numbers, but if -- I'll

16 take your representation.

17 Q. Now, at the time the surveys

18 were being conducted, did you know that

19 there were governmental entities who did

20 not sell products or services, who were

21 significant purchasers of display

22 advertising?

23 MS. DEARBORN: Objection to

24 form.



Page 322	Page 324
<p>1 will remain confidential and no</p> <p>2 one will know the respondent's</p> <p>3 name, somehow Google will try to</p> <p>4 find the name of respondents,</p> <p>5 look for those who use only</p> <p>6 Google and say, ah, that's a</p> <p>7 great opportunity. We should</p> <p>8 take advantage of the situation.</p> <p>9 I think it's a very</p> <p>10 nonsensical, inconceivable</p> <p>11 scenario. I think I stand behind</p> <p>12 the use of the term</p> <p>13 "hard-pressed."</p> <p>14 BY MS. WOOD:</p> <p>15 Q. Do you know how many of the</p> <p>16 survey respondents used Google Chrome to</p> <p>17 complete the survey?</p> <p>18 A. I don't recall asking that</p> <p>19 question. Google Chrome? I don't know.</p> <p>20 Q. Do you know how many survey</p> <p>21 respondents have a Gmail address?</p> <p>22 A. I don't.</p> <p>23 Q. Do you know how many survey</p> <p>24 respondents use the Gmail address to</p>	<p>1 MS. DEARBORN: Objection to</p> <p>2 form.</p> <p>3 THE WITNESS: No.</p> <p>4 MS. WOOD: Let's take a</p> <p>5 break.</p> <p>6 MS. DEARBORN: Sure.</p> <p>7 THE VIDEOGRAPHER: Going</p> <p>8 off the record at 4:18 p.m.</p> <p>9 (Short break.)</p> <p>10 THE VIDEOGRAPHER: We are</p> <p>11 going back on the record at</p> <p>12 4:38 p.m.</p> <p>13 BY MS. WOOD:</p> <p>14 Q. Now, we've talked throughout</p> <p>15 the day about the fact that each of your</p> <p>16 three surveys asked respondents how they</p> <p>17 would react to a "small but significant"</p> <p>18 increase in the cost of advertising.</p> <p>19 Do you recall that,</p> <p>20 generally?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And you would agree</p> <p>23 with me that "small but significant" is</p> <p>24 an inherently subjective term, right?</p>
Page 323	Page 325
<p>1 identify themselves in connection with</p> <p>2 the online survey?</p> <p>3 A. What do you mean by that?</p> <p>4 Q. How many respondents were</p> <p>5 sent the survey to an address at</p> <p>6 Gmail.com?</p> <p>7 A. So AP -- just to -- I think</p> <p>8 you know how it works, right?</p> <p>9 AP sends an invitation to</p> <p>10 prospective respondents and says, you</p> <p>11 know, here is a link to a survey about</p> <p>12 advertising. If you'd like to</p> <p>13 participate, please click on this link.</p> <p>14 Q. And how do they send that</p> <p>15 invitation? Do they send it to people's</p> <p>16 e-mail address?</p> <p>17 A. Yes.</p> <p>18 Q. And do you know how many of</p> <p>19 those e-mail addresses were Gmail</p> <p>20 addresses?</p> <p>21 A. I don't.</p> <p>22 Q. Did you ever talk to</p> <p>23 customers about concerns about Google</p> <p>24 retaliating against them?</p>	<p>1 MS. DEARBORN: Objection to</p> <p>2 form.</p> <p>3 THE WITNESS: It's a matter</p> <p>4 of how individuals interpret or</p> <p>5 understand this term, what it</p> <p>6 means to them personally.</p> <p>7 BY MS. WOOD:</p> <p>8 Q. And because it's not</p> <p>9 defined, there's no way to know what any</p> <p>10 given respondent thought a "small but</p> <p>11 significant price increase" actually</p> <p>12 meant, correct?</p> <p>13 MS. DEARBORN: Form.</p> <p>14 THE WITNESS: No. No.</p> <p>15 That's incorrect. That's</p> <p>16 incorrect.</p> <p>17 BY MS. WOOD:</p> <p>18 Q. How do we -- how can we</p> <p>19 determine what any given survey</p> <p>20 respondent thought a small but</p> <p>21 significant price increase meant?</p> <p>22 A. Small and significant, they</p> <p>23 are commonly used terms in the English</p> <p>24 language. On the one hand, it's small as</p>

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1 opposed to large. And significant, as we  
2 said earlier, it's not something that you  
3 would ignore. Doesn't mean it would  
4 affect you in any way, but it's something  
5 you would consider.  
6 So I think it's a very  
7 balanced term that I thought was a very  
8 good choice for my survey.  
9 Q. Is "small but significant" a  
10 term you've used in any other surveys  
11 before this one?  
12 A. I don't recall. I might  
13 have.  
14 Q. But you don't recall, as you  
15 sit here now, having ever used that term  
16 before?  
17 A. I've used other qualitative  
18 terms, as opposed to numerical terms,  
19 many times.  
20 Q. But I'm asking about the  
21 specific term "small but significant."  
22 Is that a phrase you've ever  
23 used before?  
24 A. For each survey, I use -- I

Page 327

1 may use a different term.  
2 Sitting here now, I don't  
3 recall. But it's possible.  
4 Q. And who came up with the  
5 phrase "small but significant"?  
6 A. I think it was something  
7 that I discussed with Analysis Group, and  
8 I found it was a very good term. And it  
9 was also discussed with counsel.  
10 Q. Again, I don't want to know  
11 about your conversations with counsel.  
12 MS. DEARBORN: Thank you.  
13 BY MS. WOOD:  
14 Q. But was the term "small but  
15 significant" a term that you came up with  
16 or that someone else came up with?  
17 A. So I don't recall,  
18 specifically. I believe it was something  
19 that my team at Analysis Group and I came  
20 up with and then discussed with counsel.  
21 Q. Do you know whether it was  
22 someone at Analysis Group or you that  
23 first came up with the term?  
24 A. I don't recall.

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1 Q. Do you think it was you?  
2 A. I do not recall.  
3 Q. And as you sit here now, you  
4 can't think of any other time, in your  
5 30-plus-year career, that you've used  
6 that exact phrase, "small but  
7 significant"?  
8 A. I used different qualitative  
9 terms, if you will, that have -- that  
10 each person can interpret as it applies  
11 to him or her.  
12 Q. But that's not my  
13 question --  
14 A. But -- so I've used  
15 individual terms once and never again, if  
16 you will, in various surveys.  
17 So it -- I'm not sure if I  
18 ever used "small but significant." But,  
19 as I said, I don't recall the details of  
20 most of the surveys I've conducted.  
21 Q. How often have you used the  
22 phrase "small but significant" before  
23 this case?  
24 A. I do not recall. I cannot

Page 329

1 assess the number of times.  
2 Q. And you would agree with me  
3 that one respondent could have  
4 interpreted the phrase "small but  
5 significant" to indicate 5 percent, for  
6 example, but a different respondent might  
7 have interpreted that phrase to mean 35  
8 or 40 percent, correct?  
9 MS. DEARBORN: Form.  
10 THE WITNESS: Not at all.  
11 As I said earlier, based on  
12 my understanding of survey  
13 takers' behavior and how they  
14 answer questions, they will take  
15 the term "small but significant"  
16 as it -- as it means.  
17 They will not go the extra  
18 step and say, okay, let's  
19 speculate that small but  
20 significant is 3 percent,  
21 30 percent, 10 percent. They  
22 have no basis for doing that nor,  
23 based on my experience, will they  
24 do that.

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1 That just calls for an  
2 extra step. It's like, okay,  
3 it's small, but it's something  
4 that I would consider. It's  
5 significant enough. And they  
6 will decide accordingly.  
7 They will not go an extra  
8 step, convert it to a specific  
9 quantity, and then say, okay,  
10 based on my speculation, my  
11 answer is X. That's not what  
12 survey respondents do.  
13 BY MS. WOOD:  
14 Q. Okay. I'm now me, Julia  
15 Wood, sitting here, and I'm thinking of a  
16 number that to me is small but  
17 significant.  
18 A. So what -- what's the  
19 question?  
20 Q. What's my number?  
21 MS. DEARBORN: Objection to  
22 form.  
23 THE WITNESS: Is that a  
24 real --

Page 331

1 BY MS. WOOD:  
2 Q. No, that's a real question.  
3 I'm thinking of a number that's small but  
4 significant. What's my number?  
5 A. It reminds me of games I'm  
6 playing with my grandkids.  
7 Q. Good. Then you're  
8 experienced at it.  
9 What's my number?  
10 MS. DEARBORN: Okay.  
11 Objection to form.  
12 THE WITNESS: I'm not sure  
13 if you're -- I assume that you're  
14 not asking that seriously.  
15 But as I said, I will -- I  
16 would not think of a number that  
17 you're thinking about, nor will I  
18 come up with a number. It would  
19 be sheer speculation. Therefore,  
20 I will not engage in that.  
21 You told me it's small but  
22 significant, and that's all the  
23 information I have, and all the  
24 information I will use when

Page 332

1 answering the question.  
2 BY MS. WOOD:  
3 Q. But if I come up with a  
4 number that's small but significant to  
5 me, that doesn't mean that same number  
6 would be small but significant to you,  
7 correct?  
8 A. I thought I just answered  
9 that.  
10 No, you will not come up,  
11 if -- I mean, obviously, you're involved  
12 in this case, so you're not the typical  
13 respondent.  
14 But speaking of typical  
15 respondents, they would not start  
16 speculating about a specific number. So,  
17 therefore, it's not like one respondent  
18 thinks about Number X and the other one  
19 thinks about Number Y. What basis do  
20 they have to -- for such speculations?  
21 Q. Regardless of the nature of  
22 the speculation, it is possible -- strike  
23 that.  
24 You say in your report at

Page 333

1 Footnote 5, on Page 7, "This phrase,"  
2 small but significant, "was designed to  
3 leave it to the respondents to consider  
4 their reaction, if any, if (what they  
5 considered to be) 'a small but  
6 significant' increase in the cost of  
7 programatic display advertising  
8 occurred."  
9 Right?  
10 A. Right.  
11 Q. And then you say in  
12 Footnote 65 of your report, on Page 39,  
13 that "The balanced phrasing of 'small but  
14 significant' avoids possible demand  
15 effects whereby respondents might have  
16 assumed that certain answers were  
17 expected or preferred."  
18 Can you describe how "small  
19 but significant" is balanced phrasing, in  
20 your view?  
21 A. Okay. Small is usually  
22 contrasted with big, and significant is  
23 contrasted with insignificant.  
24 One goes in one direction,

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1 Q. Did you do anything during  
2 this deposition, including on the last  
3 break, to refresh your recollection about  
4 the number of respondents who put ten  
5 down as nonprofit?  
6 MS. DEARBORN: And please  
7 set aside communications with  
8 counsel.  
9 THE WITNESS: So I didn't  
10 go back at the data. The answer  
11 was pretty straightforward. I  
12 just went back to my report and  
13 thought about it. I said, well,  
14 respondents could have indicated  
15 that they were a nonprofit in  
16 Question S8. However they were  
17 excluded from the survey later,  
18 for example, because they were  
19 not using display advertising.  
20 BY MS. WOOD:  
21 Q. But you didn't look at data  
22 to make that assessment. You just did  
23 that based on inference?  
24 A. Well, as I said, I

Page 387

1 personally counted the number of  
2 nonprofit respondents in the data for  
3 both the large -- large segment and small  
4 segment. So I'm confident about that.  
5 And there were ten  
6 respondents in the large segment who  
7 identified as being in a nonprofit.  
8 Q. And what about government.  
9 Is the number two for government an  
10 accurate number, as far as you know?  
11 A. I didn't look at government.  
12 Q. Okay. And same for the  
13 low-spend, you didn't look at government  
14 there either?  
15 A. No.  
16 MS. WOOD: No further  
17 questions, subject to the  
18 reservation of rights.  
19 MS. DEARBORN: And subject  
20 to our prior discussion.  
21 THE VIDEOGRAPHER: And we  
22 are going off the record at  
23 5:53 p.m.  
24 Thank you.

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1 - - -  
2 \*\*\*\*\*  
3 (Excused.)  
4 (Deposition concluded at  
5 approximately 5:53 p.m.)  
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Page 389

1  
2 CERTIFICATE  
3  
4  
5 I HEREBY CERTIFY that the  
6 witness was duly sworn by me and that the  
7 deposition is a true record of the  
8 testimony given by the witness.  
9  
10 It was requested before  
11 completion of the deposition that the  
12 witness, ITAMAR SIMONSON, Ph.D., have the  
13 opportunity to read and sign the  
14 deposition transcript.  
15  
16  
17  
18  
19 MICHELLE L. GRAY,  
20 A Registered Professional  
21 Reporter, Certified Shorthand  
22 Reporter, Certified Realtime  
23 Reporter and Notary Public  
24 Dated: February 29, 2024  
  
(The foregoing certification  
of this transcript does not apply to any  
reproduction of the same by any means,  
unless under the direct control and/or  
supervision of the certifying reporter.)

Page 390

1 INSTRUCTIONS TO WITNESS  
2  
3 Please read your deposition  
4 over carefully and make any necessary  
5 corrections. You should state the reason  
6 in the appropriate space on the errata  
7 sheet for any corrections that are made.  
8 After doing so, please sign  
9 the errata sheet and date it.  
10 You are signing same subject  
11 to the changes you have noted on the  
12 errata sheet, which will be attached to  
13 your deposition.  
14 It is imperative that you  
15 return the original errata sheet to the  
16 deposing attorney within thirty (30) days  
17 of receipt of the deposition transcript  
18 by you. If you fail to do so, the  
19 deposition transcript may be deemed to be  
20 accurate and may be used in court.  
21  
22  
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Page 391

1 - - - - -  
2 E R R A T A  
3 - - - - -  
4 PAGE LINE CHANGE  
5 \_\_\_\_\_  
6 REASON: \_\_\_\_\_  
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24 REASON: \_\_\_\_\_

Page 392

1  
2 ACKNOWLEDGMENT OF DEPONENT  
3  
4 I, \_\_\_\_\_, do  
5 hereby certify that I have read the  
6 foregoing pages, 1 - 393, and that the  
7 same is a correct transcription of the  
8 answers given by me to the questions  
9 therein propounded, except for the  
10 corrections or changes in form or  
11 substance, if any, noted in the attached  
12 Errata Sheet.  
13  
14  
15 \_\_\_\_\_  
16 ITAMAR SIMONSON, Ph.D. DATE  
17  
18  
19 Subscribed and sworn  
20 to before me this  
21 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
22 My commission expires: \_\_\_\_\_  
23  
24  
25 Notary Public

Page 393

1 LAWYER'S NOTES  
2 PAGE LINE  
3 \_\_\_\_\_  
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6 \_\_\_\_\_  
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## HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

111	2	“So it was sort of just a get”	“So it was sort of just to get”	Transcription Error or Mistake
112	19	“programatic”	“programmatic”	Spelling Error
126	1	“up 14”	“up being 14”	Transcription Error
126	17:18	“there was no given number. They were not”	“there was no -- given the number, they were not”	Transcription Error/Clarification
132	14	“ad pros”	“AdPros”	Spelling Error
133	3	“ad pros”	“AdPros”	Spelling Error
133	17	“ad pros”	“AdPros”	Spelling Error
133	21	“ad pros”	“AdPros”	Spelling Error
134	7	“ad pros”	“AdPros”	Spelling Error
134	14	“ad pros”	“AdPros”	Spelling Error
134	19:20	“ad pros”	“AdPros”	Spelling Error
135	16	“add pros”	“AdPros”	Spelling Error
135	17	“ad pros”	“AdPros”	Spelling Error
135	18	“ad pros”	“AdPros”	Spelling Error
144	7	“But you wouldn’t have to”	“But you wouldn’t have had to”	Transcription Error or Mistake
185	6:7	“They have different ways”	“There are different ways”	Transcription Error or Mistake
194	22	“programatic”	“programmatic”	Spelling Error
199	17	“you are not going to derive”	“you cannot derive”	Transcription Error or Mistake
200	9:10	“you also serve as searcher. You cannot look at that”	“you also as a researcher, you cannot look at that”	Transcription Error/Clarification
206	2	“programatic”	“programmatic”	Spelling Error
206	5	“programatic”	“programmatic”	Spelling Error
212	16	“programatic”	“programmatic”	Spelling Error
221	8:9	“given with all but such a small sample”	“given we talk about such a small sample”	Transcription Error/Clarification
222	6:8	“I hesitate to -- I believe so. Nothing comes to mind”	“I hesitate to -- I believe so, yes. I don’t -- nothing comes to mind”	Transcription Error/Clarification
236	9:10	“this think-aloud product called methodology”	“this think-aloud protocol methodology”	Transcription Error/Clarification
239	7	“or some cost effect”	“or the sunk cost effect”	Transcription Error or Mistake
255	14	“And they speculated”	“And he speculated”	Transcription Error or Mistake
262	13	“As I said, you are looking”	“As I said, you -- looking”	Transcription Error/Clarification
274	5	“programatic actions”	“programmatic auctions”	Spelling Error

## HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

289	18	“survey-sponsored purpose”	“survey sponsor and purpose”	Transcription Error/Clarification
333	7	“programatic”	“programmatic”	Transcription Error or Mistake
340	6:7	“the foreseeable to you”	“the foreseeable future to you”	Transcription Error or Mistake
348	14	“programatic”	“programmatic”	Transcription Error or Mistake
348	15	“whether it will”	“whether they will”	Transcription Error or Mistake
352	16	“programatic”	“programmatic”	Spelling Error
352	24	“programatic”	“programmatic”	Spelling Error
353	14	“programatic”	“programmatic”	Spelling Error
354	7	“programatic”	“programmatic”	Spelling Error
354	14	“programatic”	“programmatic”	Spelling Error
354	16	“programatic -- cost of programatic”	“programmatic -- cost of programmatic”	Spelling Error
354	23	“programatic”	“programmatic”	Spelling Error
355	5	“programatic”	“programmatic”	Spelling Error
355	14	“programatic”	“programmatic”	Spelling Error
357	6:7	“The reason I make in my mind”	“There is no link in my mind”	Transcription Error/Clarification
358	22	“programatic”	“programmatic”	Spelling Error
362	3	“programatic”	“programmatic”	Spelling Error
363	2	“have the data, but the degree”	“have the data about the degree”	Transcription Error/Clarification
364	8	“programatic”	“programmatic”	Spelling Error
364	11	“programatic”	“programmatic”	Spelling Error
365	16	“And you agreed”	“And you agree”	Transcription Error or Mistake
370	2	“programatic”	“programmatic”	Spelling Error
371	2	“programatic”	“programmatic”	Spelling Error



128	6	The word “pick” should read “picked”	Transcription error
130	2	The words “report list” should read “report lists”	Transcription error
132	14	The words “ad pros” should read “Ad Pros”	Transcription error
133	3	The words “ad pros” should read “Ad Pros”	Transcription error
133	17	The words “ad pros” should read “Ad Pros”	Transcription error
133	21	The words “ad pros” should read “Ad Pros”	Transcription error
134	7	The words “ad pros” should read “Ad Pros”	Transcription error
134	14	The words “ad pros” should read “Ad Pros”	Transcription error
134	19-20	The words “ad pros” should read “Ad Pros”	Transcription error
135	16	The words “ad pros” should read “Ad Pros”	Transcription error
135	18	The words “ad pros” should read “Ad Pros”	Transcription error
136	15	The words “ad pros” should read “Ad Pros”	Transcription error
141	17	The word “kept” should read “keep”	Transcription error
143	2	The word “resident” should read “residence”	Transcription error
148	1	The words “might have followed” should read “might have been followed”	Omission
149	16	The words “apropos all” should read “all”	Transcription error
155	4	The word “attorney” should read “attorneys”	Transcription error
156	23	The word “interview” should read “interviewer”	Transcription error
157	23	The word “your” should read “the”	Transcription error
158	23	The word “received” should read “received the”	Transcription error
177	6	The word “did” should read “do”	Transcription error / clarification
184	10	The words “That saying” should read “That said”	Transcription error
194	22	The word “programatic” should read “programmatic”	Transcription error
200	1	The word “alternative” should read “alternatively”	Transcription error
200	9-10	The words “you also serve as searcher. You” should read “you also as a researcher, you”	Transcription error
202	21	The words “than about those” should read “than on those”	Clarification
206	2	The word “programatic” should read “programmatic”	Transcription error
206	5	The word “programatic” should read	Transcription error



		“programmatic”	
361	9	The word “do” should read “do it”	Clarification
362	3	The word “programatic” should read “programmatic”	Transcription error
363	7	The word “substitutions” should read “substitution”	Transcription error
364	8	The word “programatic” should read “programmatic”	Transcription error
364	11	The word “programatic” should read “programmatic”	Transcription error
366	22	The words “they ask” should read “they were asked”	Transcription error
370	2	The word “programatic” should read “programmatic”	Transcription error
371	2	The word “programatic” should read “programmatic”	Transcription error
383	6	The words “to the” should read “to”	Transcription error
383	15	The word “Number” should read “number”	Transcription error

I have inspected and read my deposition and have listed all changes and corrections above, along with my reasons therefor.

Date : 3/28/2024



Itamar Simonson, Ph.D.

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## ACKNOWLEDGMENT OF DEPONENT

I, Itamar Simonson, do  
hereby certify that I have read the  
foregoing pages, 1 - 393, and that the  
same is a correct transcription of the  
answers given by me to the questions  
therein propounded, except for the  
corrections or changes in form or  
substance, if any, noted in the attached  
Errata Sheet.

I. Simonson 3/28/2024  
ITAMAR SIMONSON, Ph.D. DATE

Subscribed and sworn  
to before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public